

## **REGULAR SESSION-BOARD OF QUAY COUNTY COMMISSIONERS**

**August 23, 2010**

**9:00 a.m.**

BE IT REMEMBERED THE HONORABLE BOARD OF QUAY COUNTY COMMISSIONERS met in regular session the 23<sup>rd</sup> day of August 2010 at 9:00 a.m. in the Commissioners' Room of the Quay County Courthouse, Tucumcari, New Mexico for the purpose of taking care of any business that may come before them.

### **PRESENT & PRESIDING:**

Franklin D. McCasland, Chairman  
Bill Curry, Member  
Robert Lopez, Member  
Ellen L. White, County Clerk  
Richard Primrose, County Manager

### **OTHERS PRESENT:**

Larry Moore, Quay County Road Superintendent  
Cheryl Simpson, Quay County Manager's Office  
Janie Murray, Quay County Assessor  
Donald Adams, Quay County Fire Marshall  
Darla Munsell, CDBG Coordinator

Chairman Franklin D. McCasland called the meeting to order. Darla Munsell led the Pledge of Allegiance.

A MOTION was made by Bill Curry, SECONDED by Robert Lopez to approve the minutes from the August 9, 2010 regular commission meeting. MOTION carried with all members voting "aye".

A MOTION was made by Bill Curry, SECONDED by Robert Lopez to approve the Agenda as presented. MOTION carried with all members voting "aye".

Public Comments: There were none.

Tim Rose, Assistant District Attorney joined the meeting. Time noted 9:05 a.m.

Janie Murray, Quay County Assessor and NMAC Board of Directors member provided the following report from the Board Meeting held July 22, 2010:

1. A Fundraiser will be held in support of Constitutional Amendment No. 2 on Sunday, August 29, 2010 from 2:00 p.m. to 6:00 p.m. in Tijeras, NM.

2. Roles and responsibilities of the NMAC staff.
3. Property Tax Solutions and options for discussion by Assessors.
4. PERA information.
5. Legislative Priorities for 2011.

Russell Anglin, Quay County Sun joined the meeting. Time noted 9:15 a.m.

Donald Adams, Quay County Fire Marshall presented the following items for approval.

1. Warranty Deed from Denese Runyan and Clyde Moon to the County of Quay as a donation to the Jordan Fire Department. A MOTION was made by Robert Lopez, SECONDED by Bill Curry to approve the donation. MOTION carried with all members voting "aye". The Warranty Deed will be filed for record with the Quay County Clerk.
2. Requested approval of the donation of an old rescue vehicle from the City of Clovis to the Forrest Fire Department for use in storing and hauling equipment. A MOTION was made by Bill Curry, SECONDED by Robert Lopez to approve the donation. MOTION carried with all members voting "aye".
3. Presented Resolution No. 6; Authorization of Budgetary Increase to Forrest Fire District (411-12). A MOTION was made by Robert Lopez, SECONDED by Bill Curry to approve said Resolution. MOTION carried with all members voting "aye". A copy of said Resolution is attached and made a part of these minutes.
4. Provided bids as a result of RFP 10-01 for a 40,000 gallon water tank to be built at the Jordan Fire Department. Adams reported the Engineer has recommended all bids be rejected and the project be re-bid in phases due to the bids received being over the amount budgeted for the project. A MOTION was made by Robert Lopez, SECONDED by Bill Curry to reject the bids and re-advertise the project. MOTION carried with all members voting "aye".
5. The Quay Fire District truck has been repaired and will be in front of the courthouse during the break of today's meeting for viewing by the Board.
6. Grants are available this year, however funding is decreased substantially which will make it very difficult to secure any funding.

Darla Munsell, CBDG Administrator presented a Department of Finance & Administration Grant Agreement for project No. 10-C-RS-I-06-G-103 in the amount of \$35,000.00 to update and create a comprehensive plan. A MOTION was made by Bill Curry, SECONDED by Robert Lopez to approve the Grant Agreement as presented. MOTION carried with all members voting "aye". A copy of said Agreement is attached and made a part of these minutes.

Tom Dominguez, Quay County Extension Agent joined the meeting. Time noted 9:30 a.m.

Larry Moore presented the Quay County Road Department Report:

1. Presented Resolution No. 3 along with the Cooperative Agreement for the 2011 CAP project for approval. A MOTION was made by Robert Lopez, SECONDED by Bill Curry to approve said Resolution and CAP Agreement. MOTION carried with all

members voting "aye". A copy of said documents are attached and made a part of these minutes.

2. Presented Resolution No. 4 along with the Cooperative Agreement for the 2011 School Bus Route projects for approval. A MOTION was made by Robert Lopez, SECONDED by Bill Curry to approve said Resolution and School Bus Route Agreement. MOTION carried with all members voting "aye". A copy of said documents are attached and made a part of these minutes.
3. Presented Resolution No. 5 along with the Cooperative Agreement for the 2011 COOP projects for approval. A MOTION was made by Robert Lopez, SECONDED by Bill Curry to approve said Resolution and COOP Agreement. MOTION carried with all members voting "aye". A copy of said documents are attached and made a part of these minutes.
4. Crews are cutting trees, picking up trash and mowing right-of-ways.
5. Work continues on Quay Road BE.
6. Crews are continuing to make improvements to various cattle guards.
7. The mower is currently being repaired.
8. New signage will be installed on Ute Lake Ranch Road later this week.
9. Attended the RPO meeting on August 18, 2010, along with Primrose. District 4 projects will be cut 3.2% and the cut in funding should trickle down to the local entities.
10. Will attend a Franchise Fees meeting in Albuquerque on August 31, 2010.
11. Bill Humphreys has requested some gravel be spread in the parking area at the Quay County Primary Health Center.

County Manager Richard Primrose presented the following Manager's Report:

1. Presented Resolution No 7; Authorizing the County to submit an application to the Department of Finance and Administration, Local Government Division to participate in the Local DWI Grant. A MOTION was made by Bill Curry, SECONDED By Robert Lopez to approve said Resolution as presented. MOTION carried with all members voting "aye". A copy of said Resolution is attached and made a part of these minutes.
2. Requested approval for the County Representative to the Eastern Area Workforce Development Board to be Mark Lake. A MOTION was made by Bill Curry, SECONDED by Robert Lopez to approve the recommendation. MOTION carried with all members voting "aye".
3. Along with Commissioner Curry, Primrose reported on the Ute Water Reservoir Meeting. The Interstate Stream Commission Attorney, Tracy Hartzler-toon discussed contracts that the ISC is proposing to amend. Curry stated he has some definite contradicting opinions of the contents of the contracts and urged the Board to be cautious. The plan to develop two contracts to be used, one by the Quay Working Group and one for the Eastern New Mexico Rural Water Authority were publicly opposed by Curry stating all players involved need to be following the same rules. Primrose stated other items discussed included the Drought Plan and Shoreline Management Plans, which would be difficult to develop with two contracts for the different entities. As well, there will be a meeting on Friday, August 27 of the Interstate Stream Commission and Primrose requested all the Commissioners try and plan to

attend. Chairman McCasland stated it was indeed a good time to go and voice concerns and ask the Manager to advertise that the Board will be attending that meeting.

4. Received a letter from the State of New Mexico, Department of Finance approving the budget for the 2010-2011 fiscal year. A copy of said budget will be filed with the County Clerk for public review.
5. Presented Driveway Permit Application and approval for a drive at 3303 State Highway 278 from the State of New Mexico, District Four Traffic Engineer.
6. Primrose invited Tom Dominguez, Quay County Extension Agent, to address the Commissioners with regards to a meeting at the State Game Commission regarding a Wolf Trapping Ban. The meeting will be held on August 28, 2010 from 9:00 a.m. to 5:00 p.m. at the Marriott in Albuquerque. Dominguez suggested sending letters opposing restrictions be placed on the USDA employees who trap. Chairman McCasland asked Dominguez to draft a letter and submit it to the Board of Commissioners for signatures.
7. Presented monthly Gross Receipts Reports.
8. Advised the Commissioners that a tour of the new addition at the Quay County Primary Health Clinic will be conducted at the next regular meeting.
9. Chester Mattocks Audit Firm has indicated the current Audit is underway and on schedule.

A MOTION was made by Bill Curry, SECONDED by Robert Lopez to go into session as the Indigent Claim Board. MOTION carried with all members voting "aye". Time noted 9:55 a.m.

-----INDIGENT CLAIMS BOARD-----

Return to regular session. Time noted 10:05 a.m.

CHECKS WERE REVIEWED AND APPROVED:

UNDER OTHER BUSINESS:

Quay County Clerk, Ellen White requested the meeting scheduled for Monday, September 27, 2010 be moved to Tuesday, September 28, 2010. A MOTION was made by Bill Curry, SECONDED by Robert Lopez to approve the request. MOTION carried with all members voting "aye".

Chairman McCasland requested a recess. Time noted 10:10 a.m.

Return to regular session. Time noted 10:20 a.m.

A MOTION was made by Bill Curry, SECONDED by Robert Lopez, to go into Executive Session pursuant to the Open Meetings Act 10-15-1(H) 8 NMSA to discuss the purchase, acquisition or disposal of real property or water rights. MOTION carried with Lopez voting "aye"; Curry voting "aye" and McCasland voting "aye". Time noted 10:25 a.m.

-----EXECUTIVE SESSION-----

Chairman McCasland requested a recess for lunch. Time noted 11:30 a.m. Chairman McCasland announced the Commissioners would be having lunch at the KBobs restaurant. The public is welcome to attend.

Return to executive session. Time noted 1:00 p.m.


Return to regular session. Time noted 2:30 p.m.

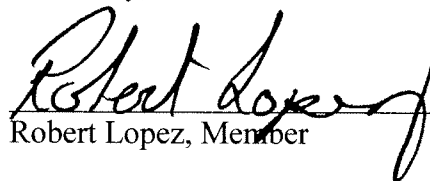
A MOTION was made by Bill Curry, SECONDED by Robert Lopez that only the items listed above were discussed during Executive Session and no action was taken. MOTION carried with Lopez voting "aye"; Curry voting "aye" and McCasland voting "aye".

There being no further business, a MOTION was made by Bill Curry, SECONDED by Robert Lopez to adjourn the regular meeting of the Board of Quay County Commissioners until the next regular meeting set for Monday, September 13, 2010 unless sooner called. MOTION carried with all members voting "aye". Time noted 2:35 p.m.

BOARD OF QUAY COUNTY COMMISSIONERS

  
Franklin D. McCasland, Chairman

  
Bill Curry, Member

  
Robert Lopez, Member

ATTEST:

  
Ellen L. White, County Clerk